

Kristi Cahoon Kelly

From: Leonard Bennett [lenbennett@clalegal.com]
Sent: Wednesday, February 08, 2012 1:49 PM
To: George Kostel
Cc: Kristi Cahoon Kelly; Scott Surovell
Subject: Re: Multiple Deposition Notices Served on Flagstar

Counsel -

The low-level employees are non party witnesses was expressly addressed in Wilkes v GMAC. The EDVA Alex court rejected your argument.

Re: location - we are willing to work with you and can likely take the deps by phone with video transcript.

The 30b6 topics are litigation tested as well.

Re: timing - you have wholly failed to comply with your disclosure and discovery obligations and have yet to return a call. If you do not like those dates, suggest alternatives that are not much more delayed than the ones we noticed.

Otherwise, please copy us on your Motion.

Len

Sent from my iPhone

On Feb 8, 2012, at 9:47 AM, "George Kostel" <George.Kostel@nelsonmullins.com> wrote:

Attached please find correspondence from George Kostel.

Best regards,

Kathryn Ann Scott
Administrative Assistant
to George E. Kostel
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